IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

WP(C).No. 23936 of 2007(Y)

OS.229/2003 of PRL.MUNSIFF COURT, CHERTHALA

.....

PETITIONER:

M.R.MUKUNDAN, S/0.RAGHAVAN, AGED 57, MALIKATHARAYIL, KUTHIATHODE VILLAGE, PADINJATTUMKARA MURI, CHERTHALA TALUK, ALAPPUZHA DISTRICT.

BY ADV. DR.V.N.SANKARJEE
SRI.V.N.MADHUSUDANAN
SMT.R.UDAYA JYOTHI

RESPONDENTS:

---

1. SARANGADHARAN, S/O.PONNUKUTTAN, AGED 39, PAPTHAM NUMBER KALAM, THEKKEDESAM VILLAGE, CHITTOOR TALUK, PALAKKADU DISTRICT.

2. VELUMANI, S/O.SIVARAMAN, AGED 35, PANNIPERUNTHALA, DO. VILLAGE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 6/8/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J

==========

W.P.(C) No.23936 OF 2007

==========

Dated this the 6th day of August 2007

JUDGMENT

This writ petition is filed for a direction to the Principal Munsiff's Court, Cherthala not to proceed with the trial of Ext.P1 suit without disposal of Ext.P2 application. Learned counsel for the writ petitioner submits that the suit is one for declaring two promissory notes as null and void. The writ petitioner wants the other side to produce those documents for a proper appreciation of the case and for the said purpose, he has filed Ext.P2 application. Ext.P2 application is filed in the year 2003. There is some force in the contention submitted by the learned counsel for the writ petitioner.

Therefore, I direct the Principal Munsiff, Cherthala to dispose of Ext.P2 application before the commencement of the trial of the suit. If the suit is already listed and posted for trial, it may be taken up only after

disposal of Ext.P2 application.

With the above direction, writ petition is disposed of .

M.N.KRISHNAN, JUDGE

Cdp/-